

**REMARKS**

Favorable reconsideration and allowance are respectfully requested for Claims 1-32 in view of the foregoing amendments and the following remarks.

It is noted with appreciation that Claims 5-7 are deemed allowable.

Responsive to the restriction requirement under 35 U.S.C. §121, it is seen that the restrictions between inventions I, II, III and IV are improper and, therefore, Applicant respectfully requests the restriction requirement to be withdrawn. Regarding the restriction between inventions I and II, the Office Action notes that the reason for restriction is that the inventions, related as process of making and product made, are distinct because the plate-like functional components can be made by another and materially different process such as plastic injection molding. However, the functional component comprises at least three stamped parts in claim 1 and, therefore, the functional component comprising at least three stamped parts cannot be made by another materially different process such as plastic injection molding, as stated in the Office Action. Accordingly, withdrawal of the restriction requirement between inventions I and II is respectfully requested.

Regarding inventions I and III, these inventions are noted in the Office Action as being related as mutually exclusive species in an intermediate-final product relationship. The distinctness is shown in the Office Action by suggesting the intermediate product is useful as a part for a watch. Since invention I relates to a functional component as a gate plate of an automatic gear shift mechanism for locking the gate, and invention III relates to a gate-plate for an automatic gear shift mechanism, the reason for distinctness is seen as

improper. Accordingly, withdrawal of the restriction requirement, as mutually exclusive species, is respectfully requested.

Regarding inventions I and IV, it is seen that the reason for restriction is improper. In the Office Action the inventions are differentiated as not usable together because invention I is for making a plate-like functional component of an automatic gear shift mechanism, and invention IV is for making the plate for an automatic gear shift mechanism. Since inventions I and IV relate to a functional component and method of making a gate plate, the reason given in the Office Action is seen as improper. Accordingly, withdrawal of the restriction requirement is hereby respectfully requested.

Regarding inventions II and III, it is seen that the reason for distinctness in this case is improper due to invention II being the method of making a functional component in the form of a gate plate, while invention III is directed to a gate plate. Accordingly, withdrawal of the restriction requirement between inventions II and III is respectfully requested.

Regarding inventions III and IV, noted as related as process of making and product made in the Office Action, the reason for distinctness is seen as improper. As the gate plate comprises at least three stamped metal sheet parts, the noted reason for distinctness, that the gate plate can be made by injection molding, is incorrect. Accordingly, withdrawal of the restriction requirement is respectfully requested.

Responsive to the drawing objections under 37 C.F.R. §1.83(a), submitted herewith is a Request for Approval of Drawing Corrections for Figure 4. Regarding the three-stamped parts, by way of the foregoing amendment, the subject matter has been clarified and the arrangement of this feature is clearly

shown in Figure 5. Regarding the stamped parts being riveted, soldered or welded together, the drawing correction simply shows a representative weld or solder point between the three stamped parts. Accordingly, withdrawal of the objection is respectfully requested.

Responsive to the rejections under 35 U.S.C. §112, second paragraph, by way of the foregoing amendments, the rejections are obviated. No new matter has been entered. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 1, 2 and 4 were rejected under 35 U.S.C. §102(b) as anticipated by European Patent Document EP 974 776 (EP '776), and claims 3 and 8 were rejected under 35 U.S.C. §103(a) as unpatentable over EP '776. These rejections are respectfully traversed. It is respectfully submitted that EP '776 is not prior art under 35 U.S.C. §102(b). EP '776 has a publication date of January 26, 2000, and the present application was submitted on December 1, 2000. Therefore, EP '776 is less than one year prior to the date of application and, thus, it is not prior art under 35 U.S.C. §102(b).

Moreover, EP'776 does not disclose or suggest that the functional component comprises at least three stamped parts. EP '776 shows two or more parts connected together via an injection molding. However, EP '776 does not mention that any of the parts are stamped. The advantage of the parts being stamped is that the individual parts themselves are produced at considerably lower outlay compared to other processes, and the relatively thin-walled parts can be machined considerably more easily compared to the known components. Thus, it is respectfully submitted that the claimed invention is not anticipated by EP '776, as set forth above. Withdrawal of the rejection is respectfully requested.

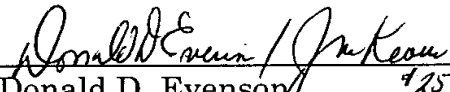
Since claims 2-7 depend from claim 1, claims 2-7 are also patentably distinguishable over the cited references. Withdrawal of the rejections is respectfully requested.

In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt favorable action on claims 1-32 is earnestly solicited in view of the traversal of the restriction requirement.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #225/49427).

Respectfully submitted,

  
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**MARKED-UP VERSION OF AMENDMENTS**

**IN THE CLAIMS**

Please amend the claims as follows:

1. (Amended) [Plate-like] A functional component [in the form of] as a gate plate of an automatic gear shift mechanism with a locking gate, having engagement holes for engagement elements which kinetically interact with the functional component, wherein the functional component comprises[, in sandwich form,] at least three stamped parts, which [bear] lie flat sandwiched against one another, are unreleasably connected to one another and each have at least two engagement holes for engagement elements which kinetically interact with the functional component, the engagement holes in the stamped parts being arranged congruently with respect to one another, at least one of [these] said holes, in a middle one of the stamped [part] parts, having a hole wall which is provided with an elastomeric plastic cover.

5. (Amended) Functional component according to Claim 4,  
wherein connecting webs lead from the injection-moulded plastic around the hole edge, [which] said webs [run] running on a base surface of the middle stamped part and [consist] are made of the injection-moulding compound and from which plug-in domes, which project [plug-in domes project] from the base surface, and are formed out at certain points on the webs, and

wherein correspondingly dimensioned passage holes , into which the plug-in domes are fitted, are formed on the two outer stamped parts, congruently with respect to the plug-in domes.

6. (Amended) Functional component according to Claim 5,  
wherein the passage holes at the location of the plug-in domes are also formed on the middle stamped part, and

wherein the plug-in domes [and/or] or the connecting webs belonging to one side of the middle stamped part are joined integrally to the plug-in domes [and/or] or the connecting webs belonging to the other side via the passage holes.

7. (Amended) Functional component according to Claim 5, wherein, in the plugged-in position, the plug-in domes project out of the passage holes of the outer stamped parts and bear against the outer sides of the outer stamped parts, which are remote from the middle stamped part, by [means] way of a flat head which is wider than the dimension of the passage holes.

8. (Amended) Functional component according to Claim 4, wherein spacer lugs are formed from a material which is harder than the injection-moulding [material] plastic on [the] inner sides, of the outer stamped parts which face towards the middle stamped part.

9. (Amended) Method for producing a [plate-like] functional component [in the form of] designed as a gate plate of an automatic gear shift mechanism with a locking gate, having engagement holes for engagement elements which kinetically interact with the functional component, wherein the functional component comprises[, in sandwich form,] at least three stamped parts, which [bear] lie flat sandwiched against one another, are unreleasably connected to one another and each have at least two engagement holes for engagement elements which kinetically interact with the functional component, the engagement holes in the stamped parts being arranged congruently with respect to one another, at least one of [these] said holes, in a middle one of the

stamped [part] parts, having a hole wall which is provided with an elastomeric plastic cover, said method comprising:

stamping three smaller individual metal sheets out of a larger metal sheet, each [individual] of the metal [sheet] sheets having said at least two engagement holes for the engagement elements which kinetically interact with the functional component,

placing the individual metal sheets against one another in a sandwich structure with corresponding engagement holes in each of the individual stamped metal sheets congruent with one another,

providing [a] the hole wall of at least one of the engagement holes in the middle stamped part with [an] the elastomeric plastic cover, before the individual sheets are placed against one another, and

non-detachably connecting the three individual metal sheets together after [they have] having been placed against one another.

11. (Amended) Method according to Claim 9, wherein the plastic cover used is a plastic border which surrounds [the] a hole edge and is clicked into place at the hole edge or is secured in undercuts or cutouts of the middle stamped part.

12. (Amended) Method according to Claim 9, wherein the plastic cover is produced by injection-moulding plastic around [the] a hole edge.

13. (Amended) Method according to Claim 12,  
wherein, while the plastic is being injection-moulded around the hole edge, connecting webs which run on a base surface of the middle stamped sheet and plug-in domes at certain points of the webs which project from [the] a base surface are also injection-moulded on,

wherein correspondingly dimensioned passage holes are stamped out from the two outer stamped metal sheets congruently with respect to the plug-in domes [and preferably at the same time as the production of the stamped parts], and

wherein the plug-in domes of the middle stamped metal sheet are fitted into the passage holes in the outer stamped metal sheets.

14. (Amended) Method according to Claim 13,

wherein passage holes are also stamped out of the middle stamped metal sheet at the location of the plug-in domes before the domes are formed, and

wherein the plug-in domes [and/or] or the connecting webs belonging to one side of the middle stamped metal sheet are integrally connected to the plug-in domes [and/or] or the connecting webs belonging to the other side via the passage holes during the injection-moulding operation.

15. (Amended) Method according to Claim 13, wherein the plug-in domes which project out of the passage holes in the outer stamped metal sheets in the plugged-in position are partially melted at [their] ends and are pressed onto the outer sides of the outer stamped parts, which are remote from the middle stamped metal sheet , so as to form a flat head which is wider than the dimension of the passage holes.

16. (Amended) Method according to Claim 12, wherein spacer lugs are pressed out of the middle stamped metal sheet on both sides [and/or] or spacer lugs facing towards the middle stamped metal sheet are pressed out of the outer stamped metal sheet.



17. (Amended) Method according to Claim 13, wherein spacer lugs are pressed out of the middle stamped metal sheet on both sides [and/or] or spacer lugs facing towards the middle stamped metal sheet are pressed out of the outer stamped metal sheets.

18. (Amended) Method according to Claim 14, wherein spacer lugs are pressed out of the middle stamped metal sheet on both sides [and/or] or spacer lugs facing towards the middle stamped metal sheet are pressed out of the outer stamped metal sheets.

19. (Amended) Method according to Claim 15, wherein spacer lugs are pressed out of the middle stamped metal sheet on both sides [and/or] or spacer lugs facing towards the middle stamped metal sheet are pressed out of the outer stamped metal sheets.

20. (Amended) A gate plate for an automatic gear shift mechanism which has engagement holes for glidingly accommodating movable gear shift mechanism engagement elements, comprising:

at least three stamped metal sheet parts stacked together [in sandwich form] sandwiched, each of said metal sheet parts including at least one engagement hole aligned with engagement holes in the other metal sheet parts,

and an elastomeric plastic cover provided to surround at least a portion of the engagement hole in a middle one of the metal sheet parts.

26. (Amended) A method of making a gate plate for an automatic gear shift mechanism which has engagement holes for glidingly accommodating movable gear shift mechanism engagement elements, said method comprising:

stamping a plurality of metal sheet parts, including respective engagement holes in said metal sheet parts,

applying an elastomeric plastic cover to surround at least a portion of [an] one of the engagement [hole] holes in a first of the metal sheet parts,

stacking said metal sheet parts to form a sandwich construction with said engagement holes aligned with one another and with said first metal sheet part disposed between two other of the sheet metal parts, and

non-detachably connecting the metal sheet parts together.